

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department, - Certain irregularities committed by Sri P.Krishna Reddy, former School Assistant, Puthalpattu (M), Chittoor District and other Panchayat Raj officials in execution of Janma Bhoomi works – Enquiry conducted – Charges proved – Dismissed from service besides recovery of Rs.7,10,900/- - OA No.3520/2010 filed before Hon'ble A.P. Administrative Tribunal – Judgment pronounced – Appeal filed before Hon'ble High Court by the Government – Appeal dismissed by the Hon'ble High Court – Reinstatement into service – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No. 2134

Dated.30.12.2013.
Read the following:

- 1.Govt., U.O.Note No.11673/Vig.III/2004-14, dt.19.1.2010.
- 2.Procgs.Rc.No.1288/A2/2010, dt.12.04.2013 of the RJD of School Education, Kadapa.
- 3.From the Hon'ble APAT judgment dt.4.6.2013 in OA No.3520/10 with VMA No.1062/11 and VMA No.1080/2011.
- 4.From the Hon'ble High Court AP, judgment dt.23.9.2013 in WP No.27531/13.

ORDER:

Whereas in the reference 1st read above Government, have requested the School Education Department, to dismiss Sri P. Krishna Reddy, formerly School Assistant, (Maths), Zilla Parishad High School, Puthalpattu Mandal, Chittoor District and now Head Mater, Zilla Parishad High School, Doddipalle, Chittoor District from service besides recovery of Rs.7,10,900/- towards loss caused to Government, since, the Accused Officer was committed certain irregularities in Janmabhoomi works in Gudipala Mandal along with Panchayat Raj officials and charges are held proved.

2. In the reference 2nd read above, the Regional Joint Director of School Education, Kadapa has issued orders imposing a major penalty of dismissal from service on Sri P.Krishna Reddy, former Head Master, Zilla Parishad High School Doddipalli, Chittoor District under rule 9(x) of A.P. Civil Services (Classification Control & Appeal) Rules, 1991 besides recovery of amount Rs.7,10,900/-.

3. In the reference 3rd read above, the Accused Officer has preferred an appeal before Hon'ble A.P. Administrative Tribunal and filed OA No.3520/10 with VMA No.1062/11 and VMA No.1080/2011. The Hon'ble A.P. Administrative Tribunal has pronounced judgment dt.4.6.2013 is as follows:

“the impugned proceedings, issued by the 4th respondent in Rc.No.1288/A2/2010, dt.12.4.2013 are illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and they are liable to be quashed”.

“In the result, this OA is allowed. The impugned proceedings, issued by the 4th respondent in Rc.No.1288/A2/2010, dt.12.4.2013, imposing the punishment of dismissal from service, on the applicant, are set aside”.

“The Respondents are directed to reinstate the applicant into service with immediate effect and they are further directed to treat the gap period from the date of dismissal, till the date of reinstatement as ‘duty’ with all consequential benefits. V.M.As., stand dismissed. No order as to costs”.

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4. Aggrieved by the above orders, Government, have preferred an appeal before Hon'ble High Court and filed Writ Petition. The Hon'ble High Court in its judgment dt.23.9.2013 in WP No.27531/13 has pronounced is as follows:

"We do not find any basis to interfere with the order passed by the Tribunal".

"The writ petition is accordingly dismissed".

"The miscellaneous petition filed in this writ petition shall also stand disposed of. There shall be no order as to costs".

5. Government, after careful examination of the matter in detailed and advices of the advisory Departments, have decided to reinstate Sri P.Krishna Reddy, former Head Master (dismissed from service), Gudipala (M), Chittoor District into service, as per the orders dt.4.6.2013 of Hon'ble A.P. Administrative Tribunal in OA No.3520/2010. Accordingly, Government, hereby order to reinstate Sri P.Krishna Reddy, former Head Master (dismissed from service), Gudipala (M), Chittoor District into service as per the orders dt.4.6.2013 of Hon'ble A.P. Administrative Tribunal in OA No.3520/2010.

6. The School Education (SE Vig.I) Department,/ Director of School Education, Hyderabad, are therefore, requested to issue further proceedings for reinstating Sri P. Krishna Reddy, former Head Mater(dismisssed from service) Zilla Parishad High School, Doddipalle, Chittoor District into service immediately, since they are competent authority to reinstate the Accused Officer and to apprise the same before Hon'ble A.P. Administrative Tribunal to avoid contempt proceedings in CA No.1511/2013 posted on 2.1.2014. They are also requested to communicate copy of reinstatement orders issued by them to this Department, for taking further action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY

PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

The School Education (SE Vig.I) Department.

The Director of School Education, AP, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER